

REMARKS

Claims 1, and 3-4 are currently pending.

By this amendment, Claim 1 has been amended to incorporate the step recited in original Claim 2. Accordingly, Claim 2 has been cancelled and the dependency of Claims 3 and 4 has been amended so as to depend now from Claim 1. Since Claims 3 and 4 depend from Claim 1, Applicants' comments are herein addressed to said Claim 1.

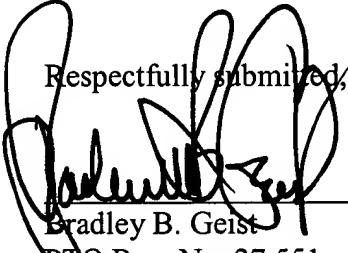
On the merits, the Examiner has continued to rely on the grounds for rejection in the previous Official Action. In the present Office Action, this rejection, under 35 U.S.C. §103(a), is recited in item No. 2 on pages 2 and 3 of the Official Action, and not repeated herein. The Examiner's rejection under 35 U.S.C. §103(a) of previously pending Claim 2 (the subject matter of which has now been added to Claim 1) is set forth on page 3 of the Official Action, and not herein repeated. Further, the Examiner's response to Applicants' arguments in the paper filed on November 11, 2003 have been carefully considered. Applicants traverse the pending grounds for rejection and respectfully request reconsideration of the pending claims as amended and in view of the remarks hereinbelow.

The Choi reference unambiguously fails to teach the limitation recited in Claim 2 and which has now been incorporated into pending Claim 1. The Examiner 's argument that the limitation of Claim 2, "changing the overload threshold values into predetermined values according to a control signal from the base station manager" is found in column 4, lines 53-57 in Choi has been carefully studied without finding any disclosure of said limitation. Accordingly, Applicants believe that Claim 1 as amended is patentable over the Choi reference.

PATENT

Since Claims 3 and 4 depend from amended Claim 1, said claims are believed to be patentable over the Choi reference for the same reason that Claim 1 is argued to define patentable subject matter.

Reconsideration and allowance of the pending claims that have been amended to place them in condition for allowance or better condition for appeal is respectfully requested.


Respectfully submitted,

Bradley B. Geist
RDO Reg. No. 27,551
Attorney for Applicant
(212) 408-2562